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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/716,611

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Kang Soo Seo

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EXAMINER

DUNN, MISHAWN N

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/716,611	Applicant(s) SEO ET AL.	
	Examiner MISHAWN DUNN	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/20/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/08,4/08,5/08,6/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.
2. With respect to 35 U.S.C. 101, claims 1-16 recite a data structure which does not impart functionality to a computer or computing device and is thus considered nonfunctional descriptive material. Since there is not a functional interrelationship with a computer claims 1-16 are deemed non-statutory. See 2106.01.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 1-16 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 1-16 recite a data structure which does not impart functionality to a computer or computing device and is thus considered nonfunctional descriptive material. Such nonfunctional descriptive material, in the absence of a functional interrelationship with a computer, does not constitute a statutory process, machine, manufacture, or composition of matter and is thus non-statutory

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kashiwagi et al. (US Publication Number 2004/0179820) in view of Kato (US Pub. No. 2004/0213552).

5. Consider claim 1. Kashiwagi et al. discloses a recording medium (fig. 2) storing a data structure for managing reproduction of at least one still image recorded on the computer readable medium, comprising (para. 0097): a recording area (data recording surface RS1, fig. 4) recording a clip stream file (video packets V1, V2, Ffig. 17) and a clip information file (NV, fig. 17) associated with the clip stream file (para. 0158), the clip stream file (V1, V2) including at least video data (V1, Fig. 17) for a still image (VOBU) (para. 0238), the clip information file (NV) including at least an entry point map (PCI, DSI, Fig 20), the entry point map (PCI, DSI) including entry point (PCI general information, DSI general information), the entry point providing at least an address (SML_AGL_C1-DSTA, Fig. 20) of the still image (para. 0534).

Kashiwagi et al. does not teach the clip stream file is separate from the clip information file.

However, Kato teaches the clip stream file is separate from the clip information file (fig. 2).

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to use, to have the clip stream file is separate from the clip information file, in order to properly manage data.

6. Consider claim 2. Kashiwagi teaches a recording medium (RS1) wherein the entry point provides at least a start address (NT_ILVU_SA, Fig. 20) of the video data forming the still image (para. 0267).

7. Consider claim 3. Kashiwagi teaches a recording medium (RS1) wherein the entry point (PCI, DSI) maps a presentation time (start PTM of VOB VOBU_S_PTM, end PTM of VOB VOBU_E_PTM, Fig. 20) of video data forming the still image (VOB) to an address (Destination address of angle cell number 1 ML_AGL_C1_DSTA, Fig. 20) of the video data forming the still image (paras. 0260 and 0263).

Consider claim 4. Kashiwagi teaches a recording medium (RS1) wherein the clip stream file (V1, V2) includes at least video data (video packets V1, V2, fig. 17) for more than one still image (paras. 0244-0245).

The limitation, "the entry point map includes an entry point associated with each still image" reads on the limitation, "the entry point map including entry point, the entry point providing at least an address of the still image" which is analyzed in relation to claim 1.

The limitation, "each entry point provides at least an address of the associated still image" reads on the limitation, "the entry point provides at least a start address of the video data forming the still image" which is analyzed in relation to claim 2.

8. Consider claim 7. Kashiwagi teaches a recording medium (RS1) further comprising a playlist (VOB#1, fig. 16) stored in the recording area, the playlist (VOB#1) including at least one playitem (CELL#1, fig. 16) indicating at least a portion of the video data in the clip stream file (video packs V1, V2, fig. 17) to reproduce (fig. 73, paras. 0351-0352).

The limitation, “the portion of the video data in the clip stream file (video packs including the still image” reads on the limitation “the clip stream file including at least video data for a still image” which is analyzed in relation to claim 1.

9. Consider claim 8. Kashiwagi teaches a recording medium (RS1) wherein the recording area further includes another clip stream file (audio pack A1, A2 fig. 17), and the another clip includes at least audio data (para. 0242]); and the playlist (VOB#1, fig. 16) further includes at least one sub-playitem (VOBU#1, fig. 16) indicating a portion of the audio data to reproduce (VOBUs of MPEG data inherently include reproducible audio and video see fig. 17, para. 0250).

10. Consider claim 9. Kashiwagi teaches a recording medium wherein the playitem (CELL#1 fig. 16) and sub-playitem (VOBU#1 fig. 16) provide for reproducing the clip stream file (video packs V1, V2, fig. 17) and the another clip stream file (audio pack A1, A2 fig. 17) such that the video data and the audio data are played in time synchronization with one another (paras. 0249 and 0258).

11. Consider claim 10. Kashiwagi teaches a recording medium wherein the playitem (CELL#1, fig. 16) indicates a start point (C_FVOBU SA) and an end point (C_FVOBU SA) for reproducing the video data of the clip stream file (paras. 0234-0235) the sub-

playitem (VOBU#1, figs. 16) indicates a start point (A_STTM, fig. 29) and an end point (A_ENDTTM, fig. 29) for reproducing the audio data of the another clip stream file (paras. 0408, 0419-0420, and 0478).

12. Consider claim 12. Kashiwagi teaches a recording medium wherein the playitem (CELL#1 fig. 16) indicates to reproduce the still image (each sub-playitem (VOBU#1), which is contained in a playitem (CELL#1 fig. 16) which inherently starts with a still picture, has a navigation pack associated with it that determines reproduction sequence (para. 0241).

13. Consider claim 13. Kashiwagi teaches a recording medium wherein the playitem (CELL#1,) further indicates a duration to display the still image (fig. 20, paras.0142 and 0224, by serving as access point it automatically sets the playback (display) duration. Setting duration is inherent characteristic of Kashiwagi in that any image reproduced takes up a preset interval time (display life time) on the screen).

14. Consider claim 14. Kashiwagi teaches a recording medium further comprising a playlist (VOB#1,fig. 16) indicating to reproduce the still image in the clip stream file (see paragraph [0351], the cells (e.g. CELL #10, which are part of the VOB, indicate playback sequence as described in relation to claim; para. 0219).

The limitation, "play list stored in the recording area" has been analyzed in relation to claim 7 above.

15. Consider claim 15. Kashiwagi teaches a recording medium wherein the playlist (VOB#1, Fig. 16) indicates timing for sequentially reproducing a number of the still

images sequence (see start time of video material VOB_VTS, end time of video material VOB_VEND, fig. 28; para. 0351).

The limitation, “the clip stream file includes video data representing more than one still image” has been analyzed in relation to claim 4 above.

16. Consider claim 16. Kashiwagi teaches a recording medium wherein the playlist (VOB#1, fig. 16) provides for selectively reproducing the still images (fig. 24, para. 0346) (anyone of the VOBs, VOB-B – VOB-D, can be selected to be reproduced and each single still image in the VOBs get reproduces accordingly).

17. Consider claim 19. Kashiwagi teaches an apparatus for recording a data structure for managing reproduction of at least one still image on a recording medium, comprising: a pickup (recorder 1200, fig. 2) configured to record data on the recording medium (M) (para. 0107); a controller (Encode system controller 200) configured to control the pick up (para. 0107).

Kashiwagi is silent on controlling a driver to record a clip stream file and a clip information file associated with the clip stream file on the recording medium, the clip stream file including at least video data for a still image, the clip information file including at least an entry point map, the entry point map including an entry point, the entry point providing at least an address of the still image.

However it is inherent characteristics of the device of Kashiwagi to incorporate a controlling a driver to record a clip stream file and a clip information file associated with the clip stream file on the recording medium, the clip stream file including at least video data for a still image, the clip information file including at least an entry point map, the

entry point map including an entry point, the entry point providing at least an address of the still image.

18. Consider claim 20, Kashiwagi teaches an apparatus for recording a data structure for managing reproduction of at least one still image on a recording medium, comprising: a pickup (reproducing media driving unit 2004, fig. 3) configured to reproduce data recorded on the recording medium (M) (para. 0135); a controller (reproducing controller 2002, fig. 3) configured to control pickup to reproduce (para. 0136).

Kashiwagi is silent on controlling a driver to reproduce a clip stream file and a clip information file associated with the clip stream file from the recording medium, the clip stream file including at least video data for a still image, the clip information file including at least an entry point map, the entry point map including an entry point, the entry point providing at least an address of the still image.

However it is inherent characteristics of the device of Kashiwagi to incorporate a controlling a driver to reproduce a clip stream file and a clip information file associated with the clip stream file from the recording medium, the clip stream file including at least video data for a still image, the clip information file including at least an entry point map, the entry point map including an entry point, the entry point providing at least an address of the still image.

19. Claims 5, 6, 11, 17, 18, and 21-40 are rejected using similar reasoning as the corresponding claims above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MISHAWN DUNN whose telephone number is (571)272-7635. The examiner can normally be reached on Monday - Friday 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/MISHAWN DUNN/
Examiner, Art Unit 2621
July 6, 2008

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621